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September 12th, 2009

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Sent via fax to: (212) 637-2387

The Honorable Harold Baer, Jr.
United States District Judge
United States District Court
500 Pearl Street, Chambers 2230
New York, New York 10007

RE: United States v. Sonny Pequero

Case No.: 08 Cr. 823-05 (HB)

Dear Judge Baer:

I am the attorney for Defendant Sonny Pequero in the above case.

I write to request an adjournment of the Sentencing Hearing currently scheduled for Thursday, September 24th, 2009, at 11:00 AM, for approximately one month

The Government consents to this request for an adjournment.

The purpose for this adjournment is to permit the parties to possibly conduct a proffer, to resolve certain disputed sentencing issues which would save the time and resources of the Court, to permit the Defense to obtain certain additional mitigating evidence needed for sentencing, and, to permit the Defense time to prepare certain additional sentencing submissions, so as to provide the defendant with effective assistance of counsel.

In the event that the Court grants this request, the Defense would request that the Court adjourn the Sentencing Hearing to one of the following dates, if acceptable to the Court, as follows: October 26th, 27th, 28th, 29th, November 5th or 6th, 2009. Thank you for your time and consideration.

Sincerely,

PAUL TESTAVERDE

PT:tp

cc: A. A. Howard-Miller,

Sent via fax to: (212) 637-2387.

Harold Baer, Jr., U.S.D.J.

Date: 9/17/09

The time for the proffer is being scheduled for the week of 10/26/09. I am requesting the Court adjourn the sentencing hearing to one of the following dates: 10/26/09, 10/27/09, 10/28/09, 10/29/09, 11/5/09, or 11/6/09. I am requesting the Court adjourn the sentencing hearing to one of the following dates: 10/26/09, 10/27/09, 10/28/09, 10/29/09, 11/5/09, or 11/6/09. I am requesting the Court adjourn the sentencing hearing to one of the following dates: 10/26/09, 10/27/09, 10/28/09, 10/29/09, 11/5/09, or 11/6/09.

Endorsement:

Your respect for the time Judges take to read and prepare for sentencing leaves something to be desired. I'll give an adjournment you third or fourth to October 8 at 10:30 A.M. and not likely anymore. This will be my third or fourth revisit and I think your proffer is long overdue. I've had the PSR since 6/18/09.